

1  
2  
3  
4  
5  
6  
7  
8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**  
10 **SAN FRANCISCO DIVISION**

11 SGT INVESTMENTS, LLC, et al.,

12 Plaintiffs,

13 v.

14 SANDY PROCTOR, et al.,

15 Defendants.  
16

Case No. 13-cv-00658 NC

**REFERRAL FOR  
REASSIGNMENT WITH  
RECOMMENDATION TO  
REMAND CASE**

17  
18 Plaintiffs SGT Investments and Yum Man Wong initiated this unlawful detainer  
19 action against defendants Rosa Mae Proctor and Sandy Proctor in the Superior Court of  
20 California, County of Alameda. Dkt. No. 1 at 19. Defendant Sandy Proctor, proceeding  
21 pro se, removed the case to this Court. On May 16, 2013, the Court ordered Proctor to  
22 show cause why this case should not be remanded to state court for lack of subject matter  
23 jurisdiction. Dkt. No. 9. Proctor did not respond to the order to show cause, and failed to  
24 appear at the initial case management conference scheduled for July 3, 2013. Dkt. No. 10.

25 Because the parties have not consented to the jurisdiction of a magistrate judge under  
26 28 U.S.C. § 636(c), this Court does not have authority to make a dispositive ruling in this  
27 case. Accordingly, the Court orders that this case be REASSIGNED to a District Court  
28 Judge. The Court RECOMMENDS that the action be REMANDED to state court as


Case No. 13-cv-00658 NC  
REFERRAL FOR REASSIGNMENT WITH  
RECOMMENDATION TO REMAND

1 Proctor's notice of removal fails to establish federal subject matter jurisdiction for the  
2 reasons set forth in this Court's May 16, 2013 order to show cause.

3 Any party may object to this order within fourteen days of the date it is filed. Fed. R.  
4 Civ. P. 72(b).

5 IT IS SO ORDERED.

6 Date: July 8, 2013

  
Nathanael M. Cousins  
United States Magistrate Judge